

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
SOUTHERN DIVISION

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UNITED STATES OF AMERICA,	19-40056
	CR
Plaintiff,	<u>REDACTED INDICTMENT</u>
vs.	
GERALD "JERRY" ELDON GOSMIRE,	Felon in Possession of Explosives; Unlicensed Receipt of Explosive Materials
Defendant.	18 U.S.C. §§ 842(i)(1), 842(a)(3)(A), 844(a)(1), 924(d), and 28 U.S.C. § 2461(c)

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The Grand Jury charges:

COUNT 1

On or about November 27, 2018, in the District of South Dakota, the Defendant, Gerald "Jerry" Eldon Gosmire, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess explosive materials, to wit: thirty-five (35) cardboard explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum, and two plastic explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum, which had been shipped and transported in interstate commerce or foreign commerce, all in violation of 18 U.S.C. §§ 842(i)(1) and 844(a)(1).

COUNT 2

On or about November 27, 2018, in the District of South Dakota, the Defendant, Gerald "Jerry" Eldon Gosmire, knowing he was not licensed or

permitted, did transport, ship, cause to be transported, or received explosive materials, to wit: thirty-five (35) cardboard explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum, and two plastic explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum, all in violation of 18 U.S.C. §§ 842(a)(3)(A) and 844(a)(1).

### **FORFEITURE ALLEGATION**

1. The allegations contained in Counts 1 and 2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

2. Upon conviction of either or both of the offenses set forth in Counts 1 and 2 of this Indictment, the Defendant, Gerald "Jerry" Eldon Gosmire, shall forfeit to the United States pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c) any explosive materials involved in the commission of the offenses, including, but not limited to, the following:

- (1) 35 cardboard explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum, and
- (2) 2 plastic explosive devices, each containing a fuse and flash powder consisting of potassium perchlorate and aluminum.

A TRUE BILL:

**"REDACTED"**

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Foreperson

RONALD A. PARSONS, JR.  
United States Attorney

By: 